

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LORENZO CASTENEDA,
Plaintiff,
v.
J. QUIRING, et al.,
Defendants.

No. 2:21-cv-2196 DAD KJN P

ORDER

Plaintiff is a state prisoner proceeding pro se. On February 12, 2024, plaintiff filed a motion for sixty-day extension of the pretrial motions deadline due to “Mule Creek State Prison’s continuously modified programs which caused no access to the law library.” (ECF No. 61 at 1.)

“The district court is given broad discretion in supervising the pretrial phase of litigation.” Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 607 (9th Cir. 1992) (citation and internal quotation marks omitted). Rule 16(b) provides that “[a] schedule may be modified only for good cause and with the judge’s consent.” Fed. R. Civ. P. 16(b)(4). “The schedule may be modified ‘if it cannot reasonably be met despite the diligence of the party seeking the extension.’” Zivkovic v. Southern California Edison Co., 302 F.3d 1080, 1087 (9th Cir. 2002) (quoting Johnson, 975 F.2d at 607).

The pretrial motions deadline is currently February 20, 2024. In his motion, plaintiff provided no evidence of modified lockdowns and did not explain his efforts to prepare his pretrial

1 motions or to obtain needed legal resources through paging due to his alleged inability to attend
2 the law library. The pretrial motions deadline has been extended once due to discovery issues,
3 and again recently due to the illness of counsel for defendants. (ECF Nos. 52, 60.) In an
4 abundance of caution, the pretrial motions deadline is extended for 45 days. The court is not
5 inclined to further extend this deadline absent a showing of substantial cause.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. Plaintiff's motion (ECF No. 61) is partially granted; and
8 2. The pretrial motions deadline is extended to April 5, 2024.

9 Dated: February 21, 2024



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

10
11
12
13 /cast2196.16b3
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28